In the High Court of Punjab and Haryana, Chandigarh.

CWP No. 20751 of 2006

Date of Decision: 10.12.2007

Surinder Singh Bedi

....Petitioner

Versus

State of Punjab and others.

....Respondents.

Coram:- Hon'ble Mr.Justice J.S. Khehar.
Hon'ble Mr. Justice Sham Sunder.

Present: Mr. Sunil Chadha, Advocate
for the petitioner.

Mr. K.S. Dadwal, Addl. A.G., Punjab
for the respondents.

...

J.S. Khehar, J.(Oral).

The primary challenge to the impugned order dated 7.12.2006 (Annexure P-4) at the hands of the learned counsel for the petitioner is, that although, the impugned order has adverse civil consequences, the respondents passed the same without following the rules of natural justice, inasmuch as, neither a show cause notice was issued to the petitioner nor he was afforded an opportunity to repudiate the assertions made in the impugned order.

Learned counsel for the respondents, having perused the written statement filed on behalf of the respondents specially paragraph 14 thereof, acknowledges that the rules of natural justice were not followed

while passing the impugned order dated 7.12.2006. Learned counsel for the respondents, therefore states, that liberty be given to the respondents to withdraw the said order, as also, to initiate an appropriate procedure so as to fix the pay of the petitioner in terms of his rights.

In view of the above, the instant writ petition is disposed of. The respondents shall withdraw the impugned order dated 7.12.2006 (Annexure P-4) within two weeks from today. In case, the respondents are desirous of altering the pay of the petitioner, as was earlier done through the impugned order dated 7.12.2006, it will be open to the respondents to do so after following the rules of natural justice.

Disposed of accordingly.

Order dasti on payment of usual charges.

(J.S. Khehar)
Judge.

(Sham Sunder)
Judge.

10.12.2007
sk.